

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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THOMAS BECKMANN and ALEXANDER MASSNER  
Junior Party  
(Patent No. 7,584,605),  
v.

HAREN S. GANDHI, JOHN VITO CAVATAIO,  
ROBERT HENRY HAMMERLE, and  
YISUN CHENG  
Senior Party  
(Application No. 12/877,901).

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Patent Interference No. 105,822 (SCM)  
(Technology Center 1700)

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**DECLARATION – Bd. R. 203(b)<sup>1</sup>**

**Part A. Declaration of Interference**

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application, patent, count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

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<sup>1</sup> “Bd. R. x” may be used as shorthand for “37 C.F.R. § 41.x”. 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1       **Part B. Judge managing the interference**

2       Administrative Patent Judge Sally C. Medley has been designated to manage  
3 the interference. Bd. R. 104(a).

4       **Part C. Standing order**

5       A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this  
6 DECLARATION. The STANDING ORDER applies to this interference.

7       **Part D. Initial conference call**

8       A telephone conference call to discuss the interference is set for **1:30 p.m.**  
9 **on 1 September 2011** (the Board will initiate the call).

10       No later than **four business days** prior to the conference call, each party  
11 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd.R. 120; Bd.R. 204;  
12 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

13       A sample schedule for taking action during the motion phase appears as  
14 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the  
15 schedule prior to the conference call and to agree on dates for taking action. A  
16 typical motion period lasts approximately eight (8) months. Counsel should be  
17 prepared to justify any request for a shorter or longer period.

**Part E. Identification and order of the parties**

Junior Party

Named Inventors: THOMAS BECKMANN, Stuttgart, Germany  
ALEXANDER MASSNER, Esslingen, Germany

Involved Application: Patent 7,584,605 issued 8 September 2009, based  
on application 10/576,959, filed 26 January 2007

Title: Internal combustion engine with exhaust-gas  
purification system, and method for purifying the  
exhaust gas from an internal combustion engine

Assignee: Daimler AG

Senior Party

Named Inventors: HAREN S, GANDHI, West Bloomfield, MI  
JOHN VITO CARATAIO, Dearborn, MI  
ROBERT HENRY HAMMERLE, Franklin, MI  
YISUN CHENG, Ann Arbor, MI

Involved Patent Application No. 12/877,901, filed 8 September  
2010

Title: Catalyst system for the Reduction of NOX and  
NH3 emissions

Assignee: none

The senior party is assigned exhibit numbers 1001-1999. The junior party is  
assigned exhibit numbers 2001-2999. Bd.R. 154(c)(1); SO ¶ 154.2.1. The senior  
party is responsible for initiating settlement discussions. SO ¶ 126.1.

1       **Part F. Count and claims of the parties**

2                               Count 1

3                               Claim 1 of Beckmann's Patent

4   or

5                               Claim 3 of Gandhi's Application

6       The claims of the parties are:

7               Beckmann: 1-4

8               Gandhi:     3-17

9       The claims of the parties which correspond to Count 1 are:

10              Beckmann: 1-4

11              Gandhi:     3-17

12       The claims of the parties which do not correspond to Count 1 are:

13              Beckmann: none

14              Gandhi:     none

15       The parties are accorded the following benefit for Count 1:

16              Beckmann: PCT/EP2004/010448, filed 17 September 2004

17                               German 103 49 876, filed 25 October 2003

18              Gandhi:     application 12/706,558, filed 16 February 2010

19                               application 12/325,787, filed 1 December 2008, now  
20                               patent 7,674,743, issued 9 March 2010

21                               application 11/684,064, filed 9 March 2007, now patent  
22                               7,485,273, issued 3 February 2009

23                               application 10/065,470, filed 22 October 2002, now  
24                               patent 7,332,135, issued 19 February 2008  
25  
26  
27

1       **Part G. Heading to be used on papers**

2       The following heading must be used on all papers filed in this interference,  
3   see SO ¶ 106.1.1:

4                   UNITED STATES PATENT AND TRADEMARK OFFICE  
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6                               \_\_\_\_\_  
7                   BEFORE THE BOARD OF PATENT APPEALS  
8                               AND INTERFERENCES  
9                               \_\_\_\_\_

10                   THOMAS BECKMANN and ALEXANDER MASSNER  
11                               Junior Party  
12                               (Patent No. 7,584,605),  
13                               v.

14                   HAREN S. GANDHI, JOHN VITO CAVATAIO,  
15                               ROBERT HENRY HAMMERLE, and  
16                               YISUN CHENG  
17                               Senior Party  
18                               (Application No. 12/877,901).  
19

20                               \_\_\_\_\_  
21                   Patent Interference No. 105,822 (SCM)  
22                               (Technology Center 1700)  
23                               \_\_\_\_\_

24       **Part H. Order form for requesting file copies**

25       When requesting copies of files, use of SO Form 4 will greatly expedite  
26   processing of the request. Please attach a copy of Parts E and F of this  
27   DECLARATION with a hand-drawn circle around the patents and applications for  
28   which a copy of a file wrapper is requested.

29                                       /Sally C. Medley/  
30                                       Administrative Patent Judge  
31

1 Enc:

2 Copy of STANDING ORDER (March 2011)

3 Copy of claims of Application 12/877,901

4 Copy of Patent 7,584,605

5

6 cc (via overnight delivery):

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